

Notice of Allowability

Application No.

09/992,688

Examiner

John S. Chu

Applicant(s)

FIEBAG ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/06/03.
2. ☒ The allowed claim(s) is/are 1-9 and 28-30.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>1 & 2</u> | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The claimed invention is drawn to the following:

1. (currently amended) A method for producing a refreshed developer, the method comprising the steps of:

(a) adding a water-soluble polyoxyalkylene derivative to a loaded silicate-containing developer,

in which:

about 0.8 wt% to about 5.0 wt% of the water-soluble polyoxyalkylene derivative, based on the weight of the loaded developer, is added to the loaded developer;

the polyoxyalkylene derivative comprises recurring units of the $-(CH_2-CHR-O)-$ structural unit, in which each R is independently hydrogen or methyl;

the loaded developer comprises loaded solids; and

the loaded developer has a loaded solids content of about 0.1 wt% to about 10 wt%;

(b) separating insoluble material from the developer and producing an essentially colorless liquid, in which the insoluble material comprises material dispersed in the loaded developer before step (a), a precipitate formed in step (a), or a combination thereof; and

(c) adjusting the alkalinity level of the essentially colorless liquid and producing the refreshed developer.

None of the prior art references of record disclose the claimed method wherein a polyoxyalkylene derivative having the recurring units is added to the loaded silicate developer, with the subsequent separation step to produce a colorless liquid and followed by adjusting the alkalinity of the colorless liquid to produced the refreshed developer.

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SEELEY et al disclose a rejuvenating process wherein a loaded developer is treated by ultrafiltration, and returned to said reservoir, repeating the step one or more times and treating with an absorber to convert the remainder into a solid.

SEELEY et al lacks the step of adding the claimed polyoxyalkylene as recited in step (a) of the method.

OGAWA et al discloses a process for treating development waste liquor wherein a flocculant agent is used to flocculate and precipitate the resin component in the developer. The reference lacks the claimed addition of a polyoxyalkylene derivative to the developer prior to the step of separating the insoluble material from the liquid.

Pre-Grant Publication to FIEBAG et al 2003/0211429 is cited of interest as a reference to the same inventive entity, which claims a distinct and different method of refreshing a developer.

SHIBANO et al also discloses the use of flocculants to add to a waster developer wherein the reference fails to disclose the addition of a polyoxyalkylene derivative as an agent to precipitate the resin component in the developer.

Because none of the references of record disclose the claimed method as recited, claims 1-9 and 28-30 are seen as allowable and passed to issue.

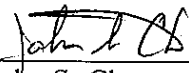
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (571) 272-1329. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

The fax phone number for the USPTO is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.


John S. Chu
Primary Examiner, Group 1700

J.Chu
December 29, 2003